IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
APPEAL NO. 111 OF 2000
IN
NOTICE OF MOTION NO. 1833 OF 1995
IN
SUIT NO. 1088 OF 1995

M/s. Rose Builders ..Appellant
vs.
Faith Andrades & others ..Respondents
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Shri A.R.Shaikh i/b S.D.Mishra for the appellant.

None for the respondents.
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CORAM : R.M.S.KHANDEPARKAR &
D.G.KARNIK, JJ

DATED : 28TH JUNE, 2007

P.C.

1. Heard the learned advocate for the appellant. None present for the respondents. The appellant challenges the impugned order dated 15th November, 1999 passed in Notice of Motion No.1833 of 1995 in Suit No.1088 of 1995. The notice of motion taken out by the appellant for quashing the registration of Lis Pendens has been dismissed. It is not in dispute that there is litigation pending between the parties in relation to the property in respect of which the Lis Pendens has been registered. Once it is not in dispute that such a suit in relation to the property

is pending in the Court and in view of pendency of such litigation, the registration is made in the Registration Office so as to ensure that the prospective buyer/s of the property may be put on guard about the litigation in relation to such property, no right accrues to the other party to the suit to get such registration quashed, unless and until the suit is finally disposed off. It is not in dispute that the suit is still pending before the Court. As no case is made out for interference, in the impugned order, we do not find any substance in the appeal, and therefore, the appeal is dismissed. No order as to costs.

(D.G.KARNIK,J) (R.M.S.KHANDEPARKAR,J)